

Notice of Rulemaking Hearing  
Tennessee Department of Environment and Conservation  
Division of Air Pollution Control

There will be four public hearings before the Technical Secretary of the Tennessee Air Pollution Control Board to consider the promulgation of amendments to the Tennessee Air Pollution Control Regulations and the State Implementation Plan pursuant to Tennessee Code Annotated, Section 68-201-105. The comments received at these hearings will be presented to the Tennessee Air Pollution Control Board for their consideration in regards to the proposed regulatory amendment. The hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-201 et. seq.

The first hearing will take place in Room 1A of the Development Resource Center located at 1250 Market Street, Chattanooga, TN on February 22, 2005, at 9:30 a.m. The second hearing will take place in the auditorium of the Knox County Health Department, 140 Dameron Ave, Knoxville, TN on February 22, 2005, at 6:30 p.m. The third hearing will take place in Room B of the West Tenn. Agriculture Experiment Station, 605 Airways Blvd, Jackson, TN on February 24, 2005, at 6:30 p.m. The fourth hearing will take place in the auditorium of the Fleming Training Center, 2022 Blanton Drive, Murfreesboro, TN on February 28, 2005, at 6:30 p.m.

Written comments will be included in the hearing records if received by the close of business on March 11, 2005 at the office of the Technical Secretary, Tennessee Air Pollution Control Board, 9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243-1531.

Any individuals with disabilities who wish to participate in these proceedings or to review these filings should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be in person, by writing, telephone, or other means, and should be made no less than ten (10) days prior to February 22, 2005 or the date such party intends to review such filings, to allow time to provide such aid or service. Contact the Tennessee Department of Environment and Conservation ADA Coordinator, 21st Floor, 401 Church Street, Nashville TN 37243, (615) 532-0103. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

If you have any questions about the origination of this rule change, you may contact Lacey Hardin at 615-532-0545. For complete copies of the text of the notice, please contact Lida Galbreath, Department of Environment and Conservation, 9th Floor, L & C Tower, 401 Church Street, Nashville, TN 37243.

Summary of Proposed Changes

Chapter 1200-3-11  
Hazardous Air Contaminants

Subparagraph (s) of paragraph (3) of rule 1200-3-11-.01 General Provisions is amended by substituting for the present subparagraph a different subparagraph so that, as amended, the resulting subparagraph shall include additional organic compounds that are not considered to be volatile organic compounds.

Text of Proposed Changes

Chapter 1200-3-11  
Hazardous Air Contaminants

Amendments

Subparagraph (s) of paragraph (3) of rule 1200-3-11-.01 General Provisions is amended by substituting for the present subparagraph a different subparagraph so that, as amended, the resulting subparagraph shall read:

- (s) "Volatile organic compounds (VOC)" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.
1. This includes any such organic compound other than the following, which have been determined to have negligible photochemical reactivity: methane; ethane; methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFI-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (HCFC-22); trifluoromethane (HFC-23); 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); parachlorobenzotrifluoride (PCBTf); cyclic, branched, or linear completely methylated siloxanes; acetone; perchloroethylene (tetrachloroethylene); 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca); 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb); 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee); difluoromethane (HFC-32); ethylfluoride (HFC-161); 1,1,1,3,3,3-hexafluoropropane (HFC-236fa); 1,1,2,2,3-pentafluoropropane (HFC-245ca); 1,1,2,3,3-pentafluoropropane (HFC-245ea); 1,1,1,2,3-pentafluoropropane (HFC-245eb); 1,1,1,3,3-pentafluoropropane (HFC-245fa); 1,1,1,2,3,3-hexafluoropropane (HFC-236ea); 1,1,1,3,3-pentafluorobutane (HFC-365mfc); chlorofluoromethane (HCFC-31); 1-chloro-1-fluoroethane (HCFC-151a); 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a); 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane ( $C_4F_9OCH_3$ ); 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ( $((CF_3)_2CFCH_2OCH_3)$ ); 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane ( $C_4F_9OC_2H_5$ ); 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ( $((CF_3)_2CFCH_2OC_2H_5)$ ); methyl acetate; 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane ( $n-C_3F_7OCH_3$ , HFE-7000); 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE-7500); 1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea); methyl formate ( $HCOOCH_3$ ); and perfluorocarbon compounds which fall into these classes:
    - (i) Cyclic, branched, or linear, completely fluorinated alkanes;
    - (ii) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
    - (iii) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
    - (iv) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.
  2. For purposes of determining compliance with emissions limits, VOC will be measured by the test methods in the approved State implementation plan (SIP) or 40 CFR part 60, Appendix A, as applicable. Where such a method also measures compounds with negligible photochemical reactivity, these negligibility-reactive compounds may be excluded as VOC if the amount of such compounds is accurately quantified, and such exclusion is approved by the Technical Secretary.
  3. As a precondition to excluding these compounds as VOC or at any time thereafter, the Technical Secretary may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of the Technical Secretary, the amount of negligibly-reactive compounds in the source's emissions.

4. For purposes of enforcement for a specific source, the test methods specified in these regulations, in the approved SIP, or in a permit issued pursuant to these regulations shall be used.
5. The following compound(s) are VOC for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements which apply to VOC and shall be uniquely identified in emission reports, but are not VOC for purposes of VOC emissions limitations or VOC content requirements: t-butyl acetate.

**Authority:** T.C.A. §§68—25—105 and 4—5—202. **Administrative History:** Original rule filed January 10, 1977; effective February 9, 1977. Amendment filed May 17, 1978; effective June 16, 1978. Amendment filed September 21, 1988; effective November 6, 1988. Amendment filed May 17, 1990; effective July 1, 1990.

Legal contact and/or party who will approve final copy for publication:

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I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Division of Air Pollution Control.

\_\_\_\_\_  
Barry R. Stephens  
Director  
Tennessee Division of Air Pollution Control

By: \_\_\_\_\_

Subscribed and sworn to before me this the \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Notary Public

My commission expires on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This notice of rulemaking set out herein was properly filed in the Department of State on the \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Riley C. Darnell  
Secretary of State

By: \_\_\_\_\_